

ORIGINAL

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of:

Amendment of Sections 74.1231)	
74.1232, 74.1233, 74.1284 of the)	DA 98-2527
Commission's Rules)	
)	RM-9419

To: Mass Media Bureau

**STATION WILL(AM) REPLY IN PARTIAL SUPPORT
OF ACAMBA PETITION FOR RULEMAKING**

The University of Illinois Board of Trustees, licensee of noncommercial educational Standard Radio Station WILL(AM), 580 kHz, Urbana, Illinois (hereinafter "University of Illinois"), replies to the comments filed in connection with the proposal by American Community AM Broadcasters Association ("ACAMBA") to permit AM licensees to obtain licenses for FM translators.

The University of Illinois continues to believe that the use of FM translators by certain qualified AM licensees, as set forth in the University's prior comments, would serve the public interest by providing improved night-time coverage as well as coverage to AM null areas. The University of Illinois further believes that the comments in opposition are unavailing, insofar as they opposed the limited use of FM translators by certain AM licensees.

First, several of the opposing parties are noncommercial educational (NCE) FM licensee or NCE FM translator licensees that objected to the restriction limiting NCE translators to the reserved portion of the band. The University of Illinois vigorously opposes that restriction as

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well, but that restriction can be eliminated -- it does not justify rejection of the entire "translators for AM" concept. In addition, the University believes that the NCE licensees commenting were concerned more about increased competition for FM translator frequencies from AM stations than for concern about whether "translators for AM stations" is a good public policy. The University of Illinois submits that increasing the public's ability to receive local AM station programming through the use of cross-service translators is a better public policy objective than the current use of satellite-fed FM translators by far-distant NCE stations in other states. These types of satellite-fed translators do not address local issues, or air local news or information. Service to a community would be better provided by a local AM station's FM translator operations.

Second, opponents' claims about congestion in the band do not comport with recent data about the number of FM translator applications filed. According to FCC data, the number of FM translator applications filed has increased dramatically in the last few years -- this suggests the band is not fully congested under current rules. Even so, the University of Illinois does not view the instant proposal opening the floodgates for FM translators for all AM stations -- there must be some reasonable restrictions on the qualifications of AM licensees to obtain FM translator stations (the University's prior comments suggested appropriate limitations). Surely, there is room in the FM translator band for some properly qualified "translators for AM" -- if not, there should be an appropriate waiver policy in place for cross-service translating.

Third, opponent's concerns about inefficiencies are misplaced. Under the theories advanced by the opponents, all AM station operations with reduced nighttime contours are already inefficiently using spectrum -- translators for AM stations would help cure such AM

inefficiencies by using secondary spectrum that has remained fallow to this time. The University of Illinois submits this is an efficient use of secondary spectrum. AM translator will be secondary services -- the impact on full-service FM stations, or digital radio, or other low power FM proceeding should be minimal, as translator always have been -- and will continue to be -- secondary services.

Moreover, FM translator rules already permit fill-in translators -- no showing of "need" is required for fill-in translator stations presently. Indeed, the FCC previously rejected "translators for AM" based on anticipated future improvements in the AM band -- not based on inefficiencies. Because AM improvements have not materialized, as hoped, the time is ripe for using translators to assist improvement of AM service to local communities.

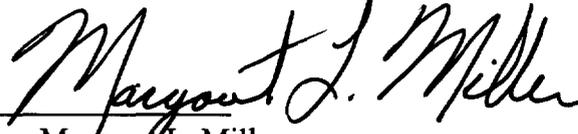
Finally, the University of Illinois renews its suggestion that all noncommercial educational AM radio stations be eligible to use FM translator stations to fill-in service gaps from nighttime coverage limitations or from directional antenna nulls, regardless of "stand-alone" status or power limitations. Alternatively, should the Commission determine that the FM translator rules should not be modified, Station WILL(AM) asks that the Commission articulate a limited waiver policy for its FM translator rules that would permit "cross-service" translators for certain AM radio stations, such as noncommercial educational AM Radio Stations like Station WILL(AM) that seek to "fill-in" coverage gaps in nighttime service or to directional antenna null areas, to obtain a rule waiver.

For the reasons set forth above and in its prior comments, the University of Illinois continues to supports, in part, the proposal of ACAMBA and requests that it be modified so that the University of Illinois' Station WILL(AM), and other noncommercial educational AM radio

stations, may benefit from the FM translator rule changes that would permit AM cross-service translating. The University of Illinois believes the public interest would be served by such changes in the FM translator rules.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing "Station WILL(AM) Reply in Partial Support Of ACAMBA Petition for Rulemaking" was served this 25th day of February, 1999 by first class United States mail, postage prepaid, upon the following:

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